

The Department of Public Works
Guidelines and Procedures for Agency Administered Projects
(October 1, 1999 - Per P.A. 99-75)
(Revised December 13, 1999)

Before an Agency can administer and/or award a contract for construction, renovations, repairs or alterations to any State facility, permission must be received from the Department of Public Works, per Conn. General Statute Sec. 4b-52 and P.A. 99-75.

State Agencies may be granted permission by DPW to administer projects based on the following construction costs:

- | | | |
|------|---|----------------|
| a. | Constituent units of Higher Education | < \$2,000,000. |
| b. | All other State Agencies* | < \$ 500,000. |
| * c. | Constituent units of Higher Education
Judicial Department does not need permission | < \$ 100,000. |
| * d. | Dept. of Environmental Protection
(Real Assets - CGS Sec. 22a-6) | < \$ 500,000. |

Before DPW/Special Projects Unit gives permission for an Agency to administer their own construction projects, per the above noted construction cost limits, one of the following two procedures is required:

1. The attached DPW Supplement to OPM B-100 form must be filled out and submitted by the Agency's Representative for all projects that exceed \$50,000 dollars. Said original form must be signed by the authorized Agency Head and submitted to:

Mr. Richard Piotrowski, P.E.
Bureau Chief of Facilities Design & Construction
Department of Public Works
165 Capitol Avenue, Rm. 443
Hartford, CT 06106
2. Projects that cost under \$50,000 dollars only require a letter, signed by the Agency's Representative and submitted to John Nolan, Jr., DPW/Chief of Special Projects, requesting approval for an agency administered project (see attached sample request memo).
 - A copy of the B-100 form or the above noted project request letter, shall be submitted to DPW Client Agency's Supervising Project Manager.
 - The DPW/Supplement OPM B-100 form must have the following minimum blocks filled out to be considered for review and approval:

Section A:

Block No. 1	Project No.
Block No. 2	Project Title
Block No. 3	Date Initiated
Block No. 8 & 9	Bond Act & Section and Other Funding Sources
Block No. 10b.	Agency Admin Project Budget Item

Section D:

Project Request/Approval
(if design services are required by DPW - Yes/No)

Section D:

Agency Head's Signature and Date

- DPW Special Projects Unit will evaluate: a. the documentation; b. the project's complexity; and, c. the agency's abilities. If in agreement, DPW will sign the B-100 form or Agency's Project Request letter and will be returned to the Agency's Representative, granting permission to administer the project(s), with a copy to DPW's client Agency Team.
- When professional design services are requested, DPW's Client Team will provide the design selection via an appropriate process.
- DPW Client Agency team will authorize the design professional to initiate the design as soon as the client agency provides for the allotment of fees to DPW.
- Upon completion of the plans and specifications, the Agency will obtain bids as outlined in the following "Bidding Procedures".

Bidding Procedures

1. All bidders must receive the same information to assure that they are bidding on the same quantities and design documents.
2. A date and time of bid opening must be clearly specified on the Invitation to Bid Form.
3. Bids must be opened in a public setting with at least one witness present.
4. A Bid Bond in the amount of 10% of the bid price, must be submitted for projects that exceed \$50,000 dollars.
5. All bids received after the specified date and time shall be returned to the vendor unopened.
6. The *Invitation to Bid Form* must state that the contractor is required to hold his bid price for sixty (60) days. In the event that the contract award is delayed beyond the (60) days, the agency must obtain written confirmation from the contractor extending

his bid.

7. **Minority & Small Business Set-Aside Program** - The Commissioner of the Department of Public Works hereby directs all State Agencies that request to administer construction projects, under CGS Section 4b-52, to comply with the following:
- a. Apart from the exceptions shown below, construction contracts valued up to \$500,000 shall be offered only to contractors that are registered with the Department of Administrative Services' Minority & Small Business Set-Aside Program.
 - b. At least two bids must be received before a contract can be awarded. If, after a good faith effort to reach a sufficient number of potential set-aside bidders, only one bid is received, the agency may: (1) re-bid the project, including non-set-aside contractors, or (2) request a waiver of the re-bid from DPW. A waiver may be granted based on a demonstration of a good effort to reach a sufficient number of potential set-aside bidders and or extraordinary circumstances relating to the project.
 - c. A minimum of 6.25 percent (6.25%) of each contract awarded to a Small Business Enterprise shall be reserved for a Minority Business Enterprises (MBE). *Note: Minority Business Enterprises includes Womens' Business Enterprises.*
- Exceptions:**
- a. If a project involves a specialty trade, for which no registered certified contractor can qualify to submit a bid, then the Agency's contract compliance officer can approve awarding a contract to a non-set-aside contractor;
 - b. If a project involves a specialty trade, for which no certified contractor can qualify as a subcontractor then the Agency's contract compliance officer can approve awarding the contract without the (6.25%) MBE requirement;
 - c. If the contractor performs more than ninety three and three quarters percent (93.75%) of the work then the Agency's contract compliance officer can waive the (6.25%) MBE requirement.
 - d. Other extraordinary conditions authorized by the agency's contract compliance officer, or other authorized official, with justification provided to DPW will be considered on a case by case basis.
NOTE: See attached copy of DAS Web page on Minority & Small Set-Aside Program.
8. Formal Advertisement of Bid Notices in local newspapers - Public Act 99-75 - requires that all project estimates that exceed \$500,000.00, must be advertised in the local newspaper. Projects that are under \$500,000 do not require formal advertisement and each agency's commissioner has the authority to set the dollar limit policy for their formal bid ad requirements. The goal is to obtain a minimum of three (3) competitive bids, therefore more bidders should be notified of the bidding

of a project.

9. Standard Bid Documents

The following documents must be included in bid packages sent to all potential bidders, for projects that are under \$500,000 dollars:

- a. Bid Form: Invitation to Bid Proposal Form
(for projects less than \$100,000 can use STO-93 Standard Quote Form)
- b. Instructions to Bidders and Conditions of Bid
(Note: MBE requirements should be part of Instructions to Bidders)
- c. Standard General Conditions
- d. Certificate of Insurance
- e. Standard Bid Bond (**Note: For projects over \$50,000 dollars**)
- f. Specifications/Contract Drawings
- g. Prevailing Wage Certifications Form (Projects exceed \$100,000)
- h. Prevailing Wage Scale (Projects exceed \$100,000.)
- i. Contractor's Minority Business Enterprises Utilization Form
(Projects exceed \$500,000)

NOTE: *DPW/Special Projects Unit has sample documents for the above items, for Agency's use.*

10. Prevailing Wage Rates:

Section 32-53 of the Connecticut General Statutes requires contractors to pay prevailing wages as published by the State Labor Commissioner for projects with the following construction costs:

- a. New Construction - greater than \$400,000
- b. Renovation projects - greater than \$100,000.

Projects costing less than the above amounts are not subject to the provisions of this statute. It is the responsibility of the Agency who is administering the project, to obtain prevailing wage rates, from the Labor Department, per above noted dollar limits. Agencies can request wage rates through Labor Department's web site.

11. Certificate of Insurance/Bonds

Contractors for all projects involving labor and material must submit to the administering agency a certificate of insurance covering Public Liability and Workers' Compensation and surety bonds covering performance, labor and materials prior to the commencement of work.

***Note:** Surety bonds for labor and materials are not required for projects costing less than \$50,000 dollars, per Public Act 97- 11, Sec. 33(a), June 18, 1997.*

The administering agency is responsible for keeping a record of the bonds and for contracting the Surety Company to release the bonds upon 100% completion of the project.

Construction Phase

1. Approvals/Certificates
Section 29-252a of the Connecticut General Statutes requires all State agencies to comply with the State Building Code. If an Agency does not have staff to perform code reviews on drawing, DPW can perform Code reviews for a minimal fee. (\$1,500 on small projects)

Agencies are responsible for obtaining all applicable permits and approvals of the State Building Inspector, Fire Marshal (where required), Department of Health Services and Department of Environmental Protection.

2. Contractors Invoices
Agencies are responsible for the review and approval of contractors monthly invoices.

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3. Change Orders
In cases where additional work must be initiated, the agency must forward the following to the DPW/Special Projects Unit: (only if the Change Order exceeds \$10,000 dollars):
 - a. one copy of the Change Order Request;
 - b. copy of the Contractor's proposal.
4. Project Completion
Projects that are completed and exceed \$50,000 dollars, shall submit to DPW's Special Projects Unit a "Certificate of Compliance" form, signed by the Agency's authorized representative and a copy to the State Building Inspectors Office. (See attached sample).

The Agency should contact the Contractor's surety company to authorize the release of the performance, labor and material bonds.

The Department of Public Works reserves the right to inspect the project and to audit all project records relating to design, bidding, construction or payments.

Emergency Projects

Section 4b-52(c) of the Connecticut General Statutes authorizes the Commissioner of the Department of Public Works to declare that an emergency exists to restore or repair a State facility under the following conditions:

- When the public safety or the proper conduct of essential State government operations are adversely affected by fire or other disaster and the estimated cost of repairs is less than \$500,000.00
- If the estimated cost of repairs is greater than \$500,000.00 the written consent of the Governor must be obtained to declare that an emergency condition exists.

Note: *The Agency's Authorized Representative is authorized by DPW, to perform emergency building repairs (i.e. repair steam line, roof leak) up to \$7,500 dollars without DPW's approval. DPW/Special Projects Unit will require a quarterly report to be submitted on all emergency repairs that were under the \$7,500 dollar limit, with a copy of the report to be given to DPW Client Agency's Supervising Project Manager).*

In the event of an emergency, which exceeds the \$7,500 dollar limit, the Agency must contact the DPW/Special Projects Unit immediately.

Transfer Invoice Procedures

As bids are received for each of the listed projects, the Agency shall submit the bids and all supporting documents to the DPW/Special Projects Unit for review.

Projects over \$50,000 dollars must be submitted on an individual basis.

Projects less than \$50,000 dollars should be submitted in groups.

No work can begin until the Purchase Order is issued through the Office of the State Comptroller and all bonds and certificates of insurance in place.

Upon Bond Commission approval, DPW Project Accounting will request allotment of funds. Upon approval and posting of bond funds, the DPW/Special Projects Unit will give the Agency permission to award and administer the project or group of projects.

The Client Agency shall accept DPW's Transfer Invoice and process such invoice through the appropriate client agency account established to accept funds transferred for Agency Administered

Projects.

The Agency is responsible for the processing of all payments on the project through the Agency's business rules and payment processing procedures.

All Agencies that request Transfer Invoices for project funds from DPW, will require to submit to DPW a bid tab form showing the names of all contractors invited to bid and all responses from the contractors. Agency's contract compliance officer shall include any waiver authorizations to the bid tab memo.

DAS/ On-Call Trade Contractor Services
Contract Award No. RFP989-A-14-0370-C (Expires March 31, 2002)

In regards to the use of DAS/On-Call Trade Contractor Services, the Department of Public Works shall require the following:

1. Projects that exceed \$10,000 dollars, Agencies must submit the same request letter to DPW, as stated on page 1 of said procedures.
2. Projects that are awarded and less than \$10,000 dollars, shall be documented on a spreadsheet and submitted to DPW, with the Agency's construction status report by January 30th and June 30th of each year.
3. If a project involves the use of multiple contractors, the total value of the purchase orders can not exceed \$95,000 dollars.
4. Attached cover sheet for DAS/On-Call Trade Contractors, lists 19 separate trades contract services.
5. If a Trade Service is not included in said contract, upon request to DAS, a supplement to the existing contract can be added to include a new Trade Service.

TRA/RFP/jn/llh

Attachments:

1. Sample Request Letter for Agency Administered Projects under \$50,000
2. DPW Supplement to OPM B-100 Form
3. Sample Bid Form
4. DAS/Web Page - for Minority & Small Set-Aside Program

5. Certificate of Compliance Form
6. Cover Sheet - DAS/ On-Call Trade Contractor Services

cc: DPW/Special Projects File